

## WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the  
**Uplands Area Planning Sub-Committee**  
Held in the Council Chamber at 2.00 pm on **Monday, 6 February 2023**

### PRESENT

Councillors: Elizabeth Poskitt (Chair), Rizvana Poole (Vice-Chair) , Lidia Arciszewska, Hugo Ashton, Mike Cahill, Jeff Haine, David Jackson, Geoff Saul, Dean Temple and Alex Wilson

Officers: Abby Fettes (Development Manager), James Nelson (Senior Planning Officer), Emile Baldauf-Clark (Planning Officer), Max Thompson (Democratic Services Manager), Anne Learmonth (Democratic Services Officer) and Michelle Ouzman (Democratic Services Officer).

#### **47 Minutes of Previous Meeting**

The minutes of the meeting held on Monday 9 January 2023 were approved and signed by the Chair as a correct record.

#### **48 Apologies for Absence and Temporary Appointments**

Apologies for absence were received from Councillors Beaney and Al-Yousuf.

#### **49 Declarations of Interest**

Declarations of Interest were received as follows;

Councillor Ashton was opposed to the application 22/03179/OUT Land East of Barnes Lane, Burford so agreed to leave the Council Chambers whilst the application was heard.

#### **50 Applications for Development**

The Chair agreed to hear the application 22/03179/OUT Land East of Barnes Lane, Burford first due to there being a large public interest and public in attendance.

Councillor Ashton left the Council Chambers at 2.05pm

#### 22/03179/OUT Land East of Barnes Lane, Burford.

Abby Fettes, Development Manager presented the application for an outlined planning application (with all matters reserved) for the erection of up to 70 residential units (which included affordable housing) with associated parking, vehicular and pedestrian access, internal roads, public open space, landscaping, drainage and other associated infrastructure.

Councillor John White, representing Burford Town Council spoke in opposition to the application. A copy of his speech is attached to the original copy of the minutes.

The Development Manager continued with the presentation of the application with attention to the following points;

- The application failed to address previous concerns raised by both the Council and Planning Inspector in the previous application
- Major development in the Cotswolds AONB would result in harm to the character of the area due to loss of open space, with reference to NFFP policies.
- As per guidance in NPPF there has been a lack of evidence presented with regards to the biodiversity net gain

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- Exceptional circumstances for the application had not been demonstrated.
- Harm to heritage assets

The Development Manager concluded that planners advised refusal as per the recommendation in the original report.

The Chair invited questions and discussion from the Committee which raised the following points;

- Protection of 250 listed buildings in the town, with reference to the grade one listed church.
- Protection of the Cotswolds AONB and open spaces, a suggestion that the area could be designated for a village green to protect it from future development.
- Houses on the site potentially becoming holiday lets when there are already holiday lets in the town.
- Flooding in Witney Street
- Affordable housing was offered on a newly built development opposite Burford Garden Centre.
- Oversubscribed schools, NHS provision and increased traffic in the town
- No local support for the application.
- Councillors were in agreement with the officers proposal of refusal.

The Development Manager confirmed that the case officer had covered points clearly in the reasons for refusal. She went onto clarify that flooding concerns would be dealt with in conditions and there had been no objections from Thames Water.

The reasons for refusal had been based on the Planning Inspectors comments and the previous application. The NPPF is cited in all reasons for refusal and if the application went to appeal the Planning Inspector would impose conditions.

Councillor Haine Proposed refusal the application as per the officers recommendations in the original report. Councillor Jackson seconded this proposal, was put to the vote and carried. The vote was unanimous.

**Resolved** the application was refused as per the officers recommendation in the original report.

Councillor Ashton returned to the Council Chambers at 2.25pm.

The Chair clarified that the last application to be heard would be 22/03129/FUL The Chapel, 6a Shipton Road, Ascott under Wychwood as there were speakers in attendance for all other applications.

### 22/01768/FUL I Rye Grass, Woodstock.

Abby Fettes, Development Manager presented the application. This application was for the demolition of existing retirement dwellings. The construction of 37 replacement age restricted apartment units contained in 4 apartment blocks together with associated works, amenity spaces and parking.

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Giles Brockbank spoke in support of the application. A copy of his speech is attached to the original copy of the minutes.

The Councillors asked for points of clarification on eco-standards. Giles Brockbank confirmed that the speck of the building would conform to the latest building regulations which included sustainability. Also there was a condition on the application to provide EV charging points.

The Development Manager continued with the presentation with attention to the following points:

- The site was within Woodstock and was identified as a rural service centre
- The application complies with policy OS2 in the Local Plan and any other relevant planning policies
- The Council cannot demonstrate 5 year housing supply and therefore complies with policy I1d in the NPPF
- The layout of the site had been amended with changes to blocks C and D.
- The design was in keeping the character of the area.
- Oxfordshire County Council has not objected to the application subject to a section 106 contribution to provide a bus service in the area. Also appropriate highway conditions.
- The proposals would enhance biodiversity and comply with policy EH3 of the Local Plan.
- Flood and drainage conditions would be attached to the recommendation.

The Development Manager concluded that planners recommended approval as per the recommendation in the original report.

The Chair invited the councillors to discuss the application which raised the following points:

- Positioning of balconies on the properties
- The height of the building in relation to existing properties
- Overlooking of neighbours properties via windows in the development, and overshadowing of gardens.
- Parking provision as there was concerns over residential parking currently.
- Biodiversity enhancement and the regeneration of a brown field site.
- Provision of properties for the older residents within the area.
- The site visit was extremely useful for the Councillors.

The Development Manager confirmed that windows would not be overlooking neighbours properties. Any balconies would have a street scene view. There would be lifts in the building to assist with access to first floor properties. The distance from the site to the neighbouring bungalow was 10 metres. There was no objection to parking from Oxfordshire County Council who have a policy on parking.

Councillor Saul proposed approval as per the officers recommendations in the original report. Councillor Jackson Seconded this proposal which was put to the vote and carried. The Chair abstained from the vote.

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**Resolved** the application was approved as per the officers recommendation in the original report - with the condition for a construction management plan amended to include members request;

A Construction Management Plan should be submitted to the Local Planning Authority and agreed prior to commencement of works. This should identify among others state: the routing of construction vehicles (via Shipton Road), access arrangements for construction vehicles. Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours (8.30 – 9.30am and 2.30 – 3.30pm) to minimize the impact on the surrounding highway network.

**REASON:** In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times.

22/03093/HHD Cumbrae, Church Road, Milton under Wychwood.

Emile Baldauf-Clarke, Planning Officer, introduced the application for erection of a two storey side extension (amended plans).

Brian Wensley spoke in support of the application. A copy of his speech is attached to the original copy of the minutes.

The Councillors asked for clarification on the difference between land levels, distances between the development and the neighbouring house. Also if windows were obscured. Brian Wensley confirmed that the neighbouring property was just under 2 metres from the boundary fence. The drop in level was 400 metres. The windows facing the neighbouring property would have obscured glazing and be fixed shut as they would be en-suite windows.

The Planning Officer continued with the presentation and showed the committee the slides that related to where the neighbouring properties were. The Planner officer went on to discuss the following points of the application:

- Office window would look out onto an existing fence
- The position of the extension in relations to the sun and the site of the neighbours property, only the small side passage way, the extension would not block sunlight or be overbearing.
- There was a condition attached to the recommendation to have the first floor obscured windows fixed shut.

The Planning Officer concluded that planners recommended approval as per the recommendation in the original report and complied with policies OS2, OS4, EH1 and H6 of the Local Plan.

The Chair invited questions and discussion from the Committee which raised the following points;

- Concerns about the varying levels of the properties.
- Views from the neighbours lounge window which would be compromised by proposed extension.

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- Overbearing design of the extension and over dominance.
- The site visit had been extremely helpful.

Councillor Haine proposed to refuse the application on polices OS2 bullet-points 1,2 and 4, OS4 bullet-point 2 and H6 bullet-point 2 of the Local Plan. There was no seconder for this proposal and the proposal failed.

Councillor Arciszewska proposed approval as per the officers recommendations in the original report. Councillor Temple seconded this proposal which was put to the vote and carried.

**Resolved** the application was approved as per the officers recommendation in the original report.

#### 22/03291/FUL Land adjacent to 10 Coombes Close, Shipton under Wychwood.

James Nelson, Senior Planner, presented the application for the erection of a detached 3 bed dwelling with off street parking for two cars, new vehicle crossover and associated works.

Ian Halliday spoke in objection to the application. A copy of his speech is attached to the original copy of the minutes.

Councillors asked for clarification on the area being designated for amenity use and the open area being used as parking spaces for public. Ian Halliday confirmed that the areas was used as an informal play area. Cottsway Housing Association had taken over the development and management of the garages in relation to parking and maintained the land.

The Senior Planner continued with the presentations and discussed the following points:

- The site was currently under utilised
- The development would complement the existing buildings
- The design scale and form was appropriate for the location
- There was no impact on the environment
- The flooding was assessed at Flood Risk Zone I
- There was no objections from the Drainage officer

The Senior Planner concluded that planners recommended approval as per the recommendation in the original report.

The Chair invited questions and discussion from the Committee which raised the following points;

- Clarification on what the dormer windows would look out onto and the impact on neighbouring properties. Councillors were concerned as no other properties in the surrounding area had dormer windows.
- The definition of “Vehicle Crossover” and what this meant in relation to the application.
- How the position of the building would affect the neighbouring garden, would the neighbours view be the side elevation of the proposed property.
- What aspects of the application were new as opposed to the previous outlined application.
- Concerned regarding the size of the site being cramped.

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The Senior Planner confirmed the 2 dormer windows on the south elevation would over-look the garages. The “Vehicle Crossover” would be the crossing over the pavement to connect to the highway as indicated on the plans. The parking area would be adjacent to the highway and the property would be set back from the neighbouring property but would not have an impact. There could not be an amendment to remove the dormer windows from the application. The dormer windows followed the design guide.

Councillor Haine proposed refusal of the application. This proposal was seconded by Councillor Poole which was put to the vote and carried.

**Resolved** the application was refused on policies OS2, OS4 and H6 of the Local Plan.

### 22/03/29/FUL The Chapel, 6a Shipton Road, Ascott under Wychwood.

James Nelson, Senior Planner, presented the application for the conversion of an existing dwelling to form three holiday lets. The Planner officer went on to discuss the following points of the application:

- The dwelling is within the Cotswolds AONB.
- The dwelling is situated in a village the application is supported by policy E4 regarding tourism within the area
- An income for the Swan Public House as the dwellings as holiday lets will be run and managed with the Local Public House. This would be a long term contribution financially
- Impact of parking in the local area, the site can accommodate 3 parking spaces.

The Senior Planner concluded that planners recommended approval as per the recommendation in the original report.

The Chair invited questions and discussion from the Committee which raised concerns about the provision of parking in the area and on the property. Councillors discussed the potential for holiday let guests to park in the Swan Public House car park, but it was thought that the car park was too small. Concerns were raised about parking outside the holiday lets and there being an issue with cars being blocked in. Also what impact to local residents if visitors to the area parked on the street. Whilst the Councillors were in favour of promoting tourism and the benefits to the public house supporting long term business and preservation of public houses. It was felt that there needed to be clarification on parking for the holiday lets.

The Chair proposed a site visit. This was seconded by Councillor Haine was put to the vote and carried unanimously.

**Resolved** application was deferred for a site visit to assess the parking concerns.

The site visit was set for Thursday 2<sup>nd</sup> March at 9.30am.

**51 Applications Determined under Delegated Powers and Appeal Decisions**

The report giving details of applications determined under delegated powers was received and noted with the following comments:

Page 83, item 10, 22/02610/FUL Priory Barn, Oxford Road, Southcombe. Councillors asked for the case to go to the enforcement team as the applicant was living in the barn without planning permission and had this case gone to the enforcement officer. Abby Fettes, Development Manager confirmed that the enforcement team were looking into the case.

Page 87, Item 31, 22/03038/S73 Landsdowne Bruern Road, Milton under Wychwood.

The Councillors queried whether this was against planning policy. The Development Manager confirmed that there have been further applications regarding this case and this application was approved on appeal.

Page 89, Item 42, 22/03132/FUL Fernhill Farmhouse, Shipton Road, Ascott under Wychwood.

The Councillors wanted to know if this application had planning permission. The Development Manager confirmed that she would check the case with the enforcement team.

The Appeals were summarised by the Development Manager and noted by the committee.

The Meeting closed at 3.51 pm

CHAIR